

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	Examiner: Snider
Michael F. WRIGHT, et al.	)	
	)	Art Unit: 1744
Serial No.: 10/622,897	)	
	)	Confirmation No.: 2825
Filed: July 17, 2003	)	
	)	
For: <b>UPRIGHT VACUUM CLEANER</b>	)	
<b>WITH CYCLONIC AIRFLOW</b>	)	
	)	
Date of Last Office Action:	)	
April 9, 2004	)	
	)	
Atty Docket No.:	)	
RYLZ 2 00535-3-3-1-1-1	)	

Cleveland, OH 44114-2518

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION (37 CFR 1.321(b))**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Identification Of Person(s) Making This Disclaimer**

Name(s) of disclaimant: Jay F. Moldovanyi of Fay, Sharpe, Fagan, Minnich &  
McKee, LLP, 1100 Superior Avenue, Seventh Floor,  
Cleveland, Ohio 44114,

represent that I am

- ☐ an inventor of this invention
- ☐ an assignee of this invention
- ☒ a representative authorized to sign on behalf of the assignee identified below.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper and/or fee is being sent via facsimile transmission to Examiner Snider,  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Facsimile No.: 703.273.1277.

Cathryn Terchek

Date: July 12 2004

Application No. 10/622,897  
Terminal Disclaimer dated July 12, 2004  
Reply to Office Action of April 9, 2004

**Identity of Assignee and  
Title of Disclaimant (if applicable)**

The Assignee is

Name of Assignee: Royal Appliance Mfg. Co.  
Address of Assignee: 7005 Cochran Road  
Glenwillow, OH 44139

Title of disclaimant: Registered Attorney for Assignee authorized to sign on behalf of Assignee

**Recordal of Assignment in PTO**

☒ the assignment was recorded on 12/09/1999 at Reel 010424, Frame 0874.  
☐ authorization for recordal of the assignment is separately attached

**Extent of Interest**

The extent of my (our) interest is in

☒ the whole of the invention  
☐ a sectional interest in this invention as follows (here state the exact interest of the disclaimant(s):

I state that the relevant evidentiary documents have been reviewed, and certify that to the best of my knowledge and belief, title is in the assignee taking this action.

**Disclaimer**

I hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of:

☒ United States Patent No. 6,260,234  
☐ Any patent granted on application number 0 /

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

☒ United States Patent No. 6,260,234  
☐ Any patent granted on application number 0 /

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

Application No. 10/622,897  
Terminal Disclaimer dated July 12, 2004  
Reply to Office Action of April 9, 2004

☒ United States Patent No. 6,260,234 as presently shortened by any terminal disclaimer

☐ Any patent granted on application number 0 /

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer except for the separation of legal title stated above.

#### Fee Status

(37 CFR 1.20(d) and 37 CFR 1.321)

☒ other than a small entity - fee \$ 110.00

☐ small entity - fee \$ 55.00

☐ verified statement attached

☐ verified statement filed on \_\_\_\_\_

#### FEE PAYMENT

☒ Please charge Deposit Account No. 06-0308 in the amount of **\$110.00**. A duplicate copy of this disclaimer is attached.

☒ Charge Deposit Account No. 06-0308 for any fee deficiency required by this paper.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 12 July 2004

Jay F. Moldovanyi  
Jay F. Moldovanyi  
Reg. No. 29,678  
Fay, Sharpe, Fagan, Minnich & McKee, LLP  
1100 Superior Avenue  
Seventh Floor  
Cleveland, OH 44114  
216.861.5582

N:\RYLZ\200535130\1\C\NT0000901V001.doc

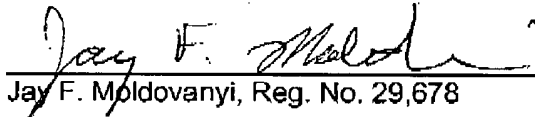
**FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP**  
1100 SUPERIOR AVENUE, SEVENTH FLOOR  
CLEVELAND, OHIO 44114-2518  
Telephone: (216) 861-5582  
Facsimiles: (216) 241-1666 and (216) 241-5147

Please call us immediately at (216) 861-5582 if this transmission is incomplete or illegible.

DATE: July <sup>14</sup>12, 2004  
TO: U.S. Patent and Trademark Office  
ATTENTION: Examiner SNIDER  
FACSIMILE NO.: <sup>571</sup>703.273.1277  
FROM: Jay F. Moldovanyi, Reg. No. 29,678  
RE: U.S. Patent Application  
Serial No. 10/622,897  
Our Reference: RYLZ 2 00535-3-3-1-1-1

Total Number of Pages (including this cover sheet) 17

Per our telephone discussion today, attached is a Terminal Disclaimer To Obviate a Double Patenting Rejection (37 CFR 1.321(b)) for filing in the above-referenced patent application:

  
Jay F. Moldovanyi, Reg. No. 29,678

The documents accompanying this facsimile transmission include information from the firm of Fay, Sharpe, Fagan, Minnich & McKee, LLP that might be legally privileged and/or confidential. The information is intended for the use of only the individual or entity named on this cover sheet. If you are not the intended recipient, any disclosure, copying, or distribution of these documents, or the taking of any action based on the contents of this transmission, is prohibited. If you have received this transmission in error, these documents should be returned to this firm as soon as possible, and we ask that you notify us immediately by telephone so we can arrange for their return to us without cost to you.

C:\DATA\PRR\000\FAXES\PTO\EXAMINER\FAX